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| In re Application of | : | |
| CAUSEVIC, Elvir | : | |
| Application No.: 10/019,451 | : | DECISION ON |
| PCT Application No.: PCT/US00/11389 | : | |
| International Filing Date: 28 April 2000 | : | PETITION |
| Priority Date: 29 April 1999 | : | |
| Attorney Docket No.: KEDI 7230US | : | UNDER 37 CFR 1.137(b) |
| For: HANDHELD AUDIOMETRIC DEVICE | : | |
| AND METHOD OF TESTING HEARING | : | |

Applicant's "Petition To Revive Unintentionally Abandoned Application," filed in the United States Patent and Trademark Office on 27 December 2001 is **GRANTED**.

BACKGROUND

On 28 April 2000, applicant filed an international application, PCT/US00/11389, which claimed a priority date of 29 April 1999. A demand for international preliminary examination was filed on 29 November 2000, prior to the expiration of nineteen months from the priority date. The thirty month period for entering the national stage in the United States expired at midnight on 29 October 2001.

On 27 December 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, a petition to revive, payment of the petition fee and payment of the basic national fee.

DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

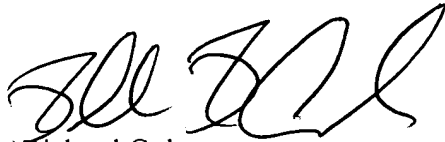
Applicant's statement that "the entire delay in entering the national stage in the United States ... was unintentional" is construed to mean that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR

1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). If this is not a correct interpretation, applicant must notify the Office immediately. The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

CONCLUSION

The petition to revive the application abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing, including preparation of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration and the surcharge for filing the oath or declaration after thirty months are required.



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